

To the Members of the California State Senate:

I am returning Senate Bill 86 without my signature.

This bill would limit the ability of the University of California (UC) and the California State University (CSU) to continue to provide a high level of quality education that our students deserve when they choose to attend California public universities. A blanket prohibition limiting the flexibility for the UC and CSU to compete, both nationally and internationally, in attracting and retaining high level personnel does a disservice to those students seeking the kind of quality education that our higher education segments offer. The Regents and the Trustees should be prudent in managing their systems, given the difficult fiscal crisis we face as a state, but it is unnecessary for the State to micromanage their operations.

Finally, this measure is flawed by failing to adequately specify what appropriations would be considered in triggering its provisions. It is possible that capital outlay appropriations and lease purchase debt appropriations, which have little to do with discretionary instructional program expenditures, could vary considerably from year to year, thereby making the appropriations test specified in this bill ambiguous and subject to legal interpretation.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger